



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/578,934

05/08/2006

Tae-hwan Weon

SAEUM.DIGI.PT1

5149

24943

7590

01/06/2009

INTELLECTUAL PROPERTY LAW GROUP LLP
12 SOUTH FIRST STREET
SUITE 1205
SAN JOSE, CA 95113

EXAMINER

BENGZON, GREG C

ART UNIT

PAPER NUMBER

2444

MAIL DATE

DELIVERY MODE

01/06/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/578,934	Applicant(s) WEON, TAE-HWAN	
	Examiner GREG BENZON	Art Unit 2444	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/08/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This application has been examined. Claims 1-2 are pending.

Priority

This application claims benefits of priority from Foreign Application 10-2003-0079239 (KOREA) filed November 10, 2003.

The effective date of the claims described in this application is November 10, 2003.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 05/08/2006 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over White (US Publication 2007/0149116) further in view of Elliott (US Patent 7277955).

White disclosed (re. Claim 1) a method for providing a jukebox service using a jukebox terminal, the jukebox terminal being connected to a server for storing sound source data and playlists according to jukebox terminals through a network and being provided with RF transmission means wherein the jukebox terminal includes a network transmission/reception unit for transmitting/receiving sound source data to/from the server through the network, and the RF transmission means processes the received sound source data and transmits the processed sound source data to an external audio system as RF signals, comprising the steps of:

receiving a playlist transmitted from the server; (White-Paragraph 60)
transmitting a request for one or more pieces of sound source data in the received playlist to the server; receiving the requested sound source data; (White-Figure 8, Paragraph 63) and transmitting the received sound source data to the audio system using the RF transmission means. (White-Paragraph 48-51)

While White substantially disclosed the claimed invention White did not disclose (re. Claim 1) accessing the server through the network to transmit jukebox authentication information including an IP address and a unique ID of a jukebox terminal; and receiving a playlist on the basis of the authentication information transmitted from the server.

Elliott disclosed (re. Claim 1) accessing the server through the network to transmit jukebox authentication information including an IP address and a unique ID of a jukebox terminal; and receiving a playlist on the basis of the authentication information transmitted from the server. (Elliott-Column 5 Lines 35-55)

White and Elliott are analogous art because they present concepts and practices regarding selection and presentation of multimedia playlists to user devices. At the time of the invention it would have been obvious to a person of ordinary skill in the networking art to combine Elliott into White. The motivation for said combination would have been to enable a stream generator for streaming content to the identified user based on the play list associated with the user. (Elliott-Column 2 Lines 35-55)

White-Elliott disclosed (re. Claim 2) method for providing a jukebox service using a jukebox terminal, the jukebox terminal being connected to a server for storing sound source data through a network and being provided with playlists and RF transmission

Art Unit: 2444

means wherein the jukebox terminal includes a network transmission/reception unit for transmitting/receiving the sound source data to/from the server through the network and the RF transmission means processes the received sound source data and transmits the processed sound source data to an external audio system as RF signals, comprising the steps of:

accessing the server through the network to transmit jukebox authentication information including an IP address and a unique ID of a jukebox terminal; (Elliott-Column 5 Lines 35-55)

transmitting a request for one or more pieces of sound source data in a corresponding playlist to the server if authentication is verified by the server; (White-Figure 8, Paragraph 63) receiving the requested sound source data; (White-Figure 8, Paragraph 63) and transmitting the received sound source data to the audio system using the RF transmission means. (White-Paragraph 48-51)

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part

Art Unit: 2444

of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to the enclosed PTO-892 form.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GREG BENGZON whose telephone number is (571)272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571)272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2444

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Greg Bengzon/
Examiner, Art Unit 2444